

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*

State Engineer,

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

00 NOV -1 PM 12:59 *✓*

69cv07941 JC

RIO CHAMA STREAM SYSTEM
Rio Gallina, Section 5

ANSWER TO COMPLAINT FOR ADJUDICATION OF WATER RIGHTS

COMES NOW COSME L. CHACON (please print your full name)
COSME L CHACON

and answers the complaint as follows:

<u>Subfile No</u>	<u>Object</u>	<u>Claim No Right</u>
CHGA-03-0008 <i>CLC</i> <u>SIGNED CONSENT</u>	<input type="checkbox"/>	<input type="checkbox"/>
CHGA-03-0018	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. In answer to Complaint: For each subfile listed above, please **initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the State's proposed Consent Order, or whether you make no claim as to the water right(s) described in the State's proposed Consent Order.

If you object to the description of water right(s) and reject the State's proposed Consent Order, or if you make no claim as to the water right(s) set forth in the State's proposed Consent Order for any of the Subfile Numbers listed above, for each such Subfile Number please explain in the appropriate spaces below.

I object to the description of the water right(s) described by Subfile Number(s) _____ because _____

SEE ATTACHED AFFIDAVIT

(Attach additional pages if necessary)

I made a good faith effort to resolve my disagreement with the State's proposed Consent Order by

COMING TO TWO FIELD OFFICES AND BY
GOING ON A FIELD CHECK. I SHOWED THE
SEO STAFF WHERE WATER WAS PUT IN PIPE
TO WATER GARDEN ACROSS MY DRIVEWAY. THE
SEO STAFF TOLD ME I SHOULD DIG A DITCH &
BURY THE PIPE UNDER MY DRIVEWAY. I DIVERT
THE WATER FROM THE PLACITAS DITCH TO WATER
THIS GARDEN AREA & HAVE DONE THIS FOR
MANY YEARS BEFORE MY DRIVEWAY WAS BUILT

(Attach additional pages if necessary)

I claim no right for the water right(s) described by Subfile Number(s) _____
because _____

(Attach additional pages if necessary)

2. I understand that by making this claim and filing this document I am not waiving my rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I may have.

Dated: 10-13-00

Cosme L. Chacon
(Signature - COSME L CHACON)

P.O. Box 43

GALLINA, N.M.

87017
(Address: Print Clearly)

(505) 638-5417
(Phone Number: Print Clearly)

IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you have waived service of process, you must file an answer in the United States District Court for the District of New Mexico by August 31, 2000. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the State's proposed Consent Order if you fail to file an answer by August 31, 2000. The court's address is: 333 Lomas NW, Suite 270, Albuquerque, NM 87102. A copy of the answer filed with the district court must also be sent to the Office of the State Engineer, Legal Services Division, P.O. Box 25102, Santa Fe, NM 87504-5102.

